

ROUND LAKE VILLAGE BOARD OF TRUSTEES MEETING HELD
SEPTEMBER 21, 2011.

PRESENT: Mayor Dixie Lee Sacks Trustee Christopher Nellissen
Trustee Caroline Woerner Trustee Thomas Bergin

ABSENT: Trustee Dominick DeLorio

Also Present: Superintendent John Stevenson Attorney Thomas Peterson
CEO Robert Gizzi Fred Sievers
Harold Wexler, Reporter

Mayor Sacks called the regular meeting of the Village Board to order at 7:00 pm.

The pledge of allegiance was recited.

PUBLIC COMMENT PERIOD

There was no one wishing to address the Village Board at this time.

REPORTS

Superintendent Stevenson: Everything is good with the water & sewer systems. They trucked in 225 tons of 1A stones, 30 tons of #1 stones and 80 tons of rubble. This was used for the resurfacing of North Washington Avenue, Simpson Avenue, North Burlington Avenue, Saratoga Avenue, Goldfoot Road, Haven Avenue and Kavanaugh Avenue.

The Superintendent is getting quotes for installing a sidewalk on First Street; between Wesley Avenue and the municipal building, it may include a sidewalk in back of the municipal building. Mr. Sherman and Mr. & Mrs. Kinkead are happy with this plan. The Superintendent has met with two companies for a stamped concrete sidewalk for Fountain Square. It would be easy to keep clear in the winter but it may be too expensive.

Trustee Nellissen asked about the oil and stone paving that was done.

Superintendent Stevenson replied that this is a new process similar to the old method. The machine puts down a fiber mat, which becomes part of the macadam. Any excess stone will go to the edge of the road. The fiber mat should keep the roads from cracking.

Mayor Sacks commented that there is a problem on Washington Avenue at Goldfoot Road, the loose stone looks like a washboard. The Superintendent will check on the road, he believes that it is due to the wet weather.

Animal Control Officer: Mr. Stevenson reported that Diane Marchand was charged by the two dogs at the Abeel property on Janes Avenue. One of the dogs is a pit bull that has been the cause of several complaints; a ticket has already been issued. The dogs jump the fence and are always loose. Mr. Stevenson will issue another ticket.

Code Enforcement Officer: A copy of Mr. Gizzi's monthly report is attached.

Mr. Gizzi stated that there have been problems with vehicles parked on Village property. Discussion continued.

Trustee Woerner asked about the Patenaude barn. Mr. Gizzi stated that Janet Shattuck hired Jim Finkle to renovate the barn. The permit was sent the Malta Assessor, which returned the permit because neither Joann Patenaude nor her daughter owns the property. Mr. Finkle is going to close up the property for the winter. Until the ownership is cleared up, a permit can not be issued.

Trustee Nellissen asked what is going on with the vehicles and fence leaning on the trees at the Filkins property. Mr. Gizzi commented that Rob Filkins says that he wants to remove parts from the vehicles. The owner of the property may need to be taken to court to get the cars moved.

Trustee Nellissen commented that some of these vehicles have been there several years. Mr. Filkins was going to put up a fence around the old vehicles, there is also a question about property lines.

Mr. Gizzi commented that the fence serves the purpose but not solve the problem. Some discussion continued.

Trial Balance: A copy of this report was presented to the Trustees and will be attached the minutes.

OLD BUSINESS

Policy for Use of Chief's Vehicle: Hold for the next meeting.

Revised Zoning Map: We need to work on New York Avenue, where does the street end? Does it divide the Osborne property as shown on the map? Discussion included:

- The Association (Village) ended at what is now the Luse property. The rest of the property, now in the Village, was originally part of the Town of Malta.
- Two maps from the 1800's shows that New York Avenue ended at the southern edge of the Osborne property.
- A meets & bounds description of the Osborne property does not include the "road".
- There is no clear ownership of record of this strip of land.
- This strip of land is not part of the CHIPS inventory.
- The new owner would have to have a title search done on the property.
- Mayor Sacks is working with Amy Fredericksen, at Saratoga County Real Property.

Lake Front: There was a meeting with Mayor Sacks, Thomas Peterson, Supervisor Sausville, and Audrey Ball of the Town of Malta to discuss the lake front. DEC will build a boat launch with a roadway, parking and new entrance and exit onto Route 9. Mayor Sacks reviewed the drawings with the Village Board. It was suggested that the Village and Town could share the maintenance of the area. DEC will do all the other maintenance. When the water level comes up again will DEC be responsible for the maintenance and capital upkeep.

Mr. Peterson replied that if the Village retains ownership of the property, DEC will oversee its maintenance and upkeep.

There were questions about the use of high power boats on the lake. The Village can restrict the horsepower on the boats.

DEC will draft the plans for the site. The underpass will be part of the overall plan.

A meeting with the Village, DEC and the Town will be scheduled to discuss the next phase of this project.

Budget Transfers: The Village Board has requested a signed explanation from the Auditor of any transfers. A copy of the report is attached.

RESOLUTION # 82 OF 2011

WHEREAS there was \$115,000 revenue received in fiscal year ending May 31, 2011 from Amedore Homes for the purpose of painting the water tower. That work was not completed in the last fiscal year but is being planned for the current fiscal year and was not budgeted for in the original budget,

THEREFOR Increase F8320.42, Water Tower maintenance.	\$ 115,000
Increase F599, Appropriated Fund Balance.	115,000
Increase F5142.4, Snow Removal Contractual	\$10,000
Increase F599, Appropriated Fund Balance	10,000

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen – aye	Trustee DeLorio –absent
Trustee Woerner – aye	Trustee Bergin – aye
Mayor Sacks – aye	

RESOLUTION ADOPTED

Crown Atlantic Lease: Mr. Peterson has provided the Trustees with a draft copy of the lease agreement. The Village Board reviewed the proposed lease.

RESOLUTION # 83 OF 2011

BE IT RESOLVED that the Round Lake Village Board of Trustees approve the Fourth Addendum to Option and Lease Agreement as presented to the Village Board and authorize Mayor Dixie Lee Sacks to sign said document.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen – aye	Trustee DeLorio –absent
Trustee Woerner – aye	Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

Amendment of Certification of Incorporation: The Round Lake Hose Company #1 wants to amend their Certification of Incorporation. The original, hand written document was dated 1893 and has a 50 year limit. In 1960 there was a revival certificate filed and in 1980, when the main station was built there was another amendment.

Mr. Sievers and Mr. Peterson reviewed the documents; there may be some missing paragraphs.

Mr. Sievers stated that lately there have been some questions about filing with the IRS for the 501C3 or 501C4 status. There are concerns about donations made to the Hose Company being deductible. More discussion followed.

Trustee Nellissen suggested that Mr. Peterson, Mr. Sievers and Mr. Butler meet to get this information together. Because it is a time sensitive issue, the Board of Trustees will hold a special meeting if necessary.

Trustee Woerner asked what benefit this is to the Hose Company.

Mr. Sievers replied that it will make more funding available to the Hose Company.

Trustee Woerner commented that the Village Board was instructed by a Fire Department Attorney that if the Fire Department dissolves the assets revert back to the Village of Round Lake.

Mr. Sievers disagrees; the assets would go to a local, state or other organization.

Trustee Woerner questioned given state law, if the Hose Company charter fails, how do the assets get disbursed? Some discussion followed.

Mr. Peterson requests more time to research this matter further.

A public hearing will be scheduled for Wednesday, October 5, 2011 at 6:45 P.M.

Open Space: Hold for the October 5th meeting.

NEW BUSINESS

Terrorism Insurance: The Selective Insurance Company has sent the annual Terrorism Coverage Rejection Form to the Village. Board discussion followed.

MOTION by Trustee Nellissen to reject terrorism insurance coverage for the Village of Round Lake, at this time and to authorize Mayor Sacks to sign the Terrorism Coverage Rejection Form, SECONDED by Trustee Bergin.

UNANIMOUSLY APPROVED

CORRESPONDENCE

Richard Theissen provided a report on the 2011 Round Lake Golf Classic. The proceeds to this year's event went to The Robert Foster Scholarship Fund (\$100) and the Jonesville Methodist Church Food Pantry (\$562).

WRLIS sent a letter thanking the Village for the donation of 2012 Round Lake Auditorium season tickets as a donation for the raffle held during the Arts & Craft Show.

APPROVAL OF MINUTES

MOTION by Trustee Woerner to approve the minutes of the public hearing for the proposed Local Law to “Amend Section 168-2(B) of the Code of the Village of Round Lake to Prohibit the Parking of Inoperable, Uninspected, Uninsured or Unregistered Motor Vehicles on Village Property for More than 24 hours”; the minutes of the public hearing for the New Zoning Map for the Village of Round Lake; and the minutes for the regular meeting of the Round lake Village Board of Trustees meeting all held on September 7, 2011, seconded by Trustee Bergin.

Trustee Nellissen – abstain	Trustee DeLorio –absent
Trustee Woerner – aye	Trustee Bergin – aye
Mayor Sacks – aye	

MOTION ADOPTED

VILLAGE ATTORNEY: Mr. Peterson has some discussion for executive session.

VILLAGE MAYOR: Mayor Sacks informed the Trustees that a Village resident has offered to do a personal financial column for the Newsletter. Is this person certified to give this advice? The Village Board is not interested in adding this column to the newsletter at this time.

VILLAGE TRUSTEES

Trustee Nellissen commented that the Village Board had talked about what would happen if someone other than Mayor Sacks decides to run for Mayor. This is something that the Board needs to start looking at, the number of hours that are in the office and how would this be funded.

Trustee Bergin commented that he would be interested in what NYCOM has to offer. The requirements have changed significantly in the last few years.

Mayor Sacks commented that they need to check the Village laws.

Trustee Nellissen commented that the Village could still have a Mayor and Board of Trustees and a Manager.

Trustee Woerner will contact NYCOM.

MOTION by Trustee Nellissen to go into executive session to discuss a legal issue
SECONDED by Trustee Bergin.

UNANIMOUSLY APPROVED

MOTION by Trustee Bergin to return to regular session of the meeting, SECONDED by Trustee Nellissen.

UNANIMOUSLY APPROVED

APPROVAL OF ABSTRACT

RESOLUTION # 84 OF 2011

BE IT RESOLVED that the Village Board of Trustees authorizes the payment of the following abstracts:

Abstract # 812 in the amount of \$51,092.57 general fund, \$270.88 water fund and \$17.51 capital improvements for a total of \$51,380.96.

Abstract # 911 in the amount of \$77,793.38 general fund, \$854.05 water fund and \$174.00 water fund for a total of \$78,821.43

RESOLVED by Trustee Nellissen, SECONDED by Trustee Woerner.

Trustee Nellissen – aye
Trustee Woerner – aye
Mayor Sacks – aye

Trustee DeLorio –absent
Trustee Bergin – aye

RESOLUTION ADOPTED

MOTION by Trustee Bergin to adjourn the meeting at 8:22 p.m.

MEETING ADJOURNED

Respectfully submitted,

Lois J. Whitbeck
Village Clerk